

UNITED STATES DISTRICT COURT/SOUTHERN DISTRICT OF NEW YORK Attorney: ROBERT M. SIMELS, P.C - 231

COUNTY OF NEW YORK

JAMES MARTIN

Index #: 07 CV 2996 (AKH)

Plaintiff(s)

- against -

Date Filed:

THE CITY OF NEW YORK ET AL

Defendant(s)

AFFIDAVIT OF SERVICE

STATE OF NEW YORK: COUNTY OF NEW YORK ss:

ROBERT RAMSAY BEING DULY SWORN DEPOSES AND SAYS DEPONENT IS NOT A PARTY TO THIS ACTION AND OVER THE AGE OF EIGHTEEN YEARS AND RESIDES IN THE STATE OF NEW YORK.

That on December 19, 2007 at 11:50 AM at

RIKER'S ISLAND JAIL, GEORGE MOTCHAN DETENTION CENTER  
15-15 HAZEN STREET  
EAST ELMHURST, NY 11370

deponent served the within true copy/copies of the AMENDED SUMMONS & AMENDED COMPLAINT on OFFICER VICTOR RIVERA, SHIELD #4337, the defendant/respondent therein named,

**SUITABLE  
AGE**

by delivering thereat a true copy/copies of each to OFFICER RESTO, SHIELD #3012 a person of suitable age and discretion. Said premises is the defendant's/respondent's actual place of business within the state. He identified himself as the CO-WORKER of the defendant/respondent.

Deponent further states that he describes the person actually served as follows:

Sex	Skin Color	Hair Color	Age (Approx.)	Height (Approx.)	Weight (Approx.)
MALE	WHITE	BALD	38	5'9	185

**MAILING**

Deponent enclosed a true copy/copies of same in a postpaid wrapper properly addressed to the defendant/respondent at the defendant's/respondent's actual place of business at

RIKER'S ISLAND JAIL, GEORGE MOTCHAN DETENTION CENTER  
15-15 HAZEN STREET  
EAST ELMHURST, NY 11370


and deposited said wrapper in a post office or official depository under exclusive care and custody of the United States Postal Service within New York State on December 20, 2007 by REGULAR FIRST CLASS MAIL in an envelope marked PERSONAL & CONFIDENTIAL and not indicating on the outside envelope thereof, by return address or otherwise that the communication is from an attorney or concerns an action against the party to be served.

**MILITARY  
SERVICE**


Person spoken to was asked whether the defendant was in the military service of the State of New York or the United States and received a negative reply. Upon information and belief based upon the conversation and observation as aforesaid deponent avers that the defendant is not in the military service of the State of New York or the United States as that term is defined in the statutes of the State of New York or the Federal Soldiers and Sailors Civil Relief Act.

Sworn to me on: December 20, 2007

Linda Forman  
Notary Public, State of New York  
No. 01FO5031305  
Qualified in New York County  
Commission Expires April 1, 2010

  
Linda M. Forman  
Notary Public, State of New York  
No. 01FO6125415  
Qualified in New York County  
Commission Expires April 18,

Larry Yee  
Notary Public, State of New York  
No. 01YE5015882  
Qualified in New York County  
Commission Expires July 26, 2009

  
ROBERT RAMSAY  
License #: 871312  
Docket #: 527061